

**Notice of Allowability**

Application No.

09/910,289

Examiner

Khanh Tran

Applicant(s)

PETRANOVICH, JIM E.

Art Unit

2631

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 12/21/2005.
2. ☒ The allowed claim(s) is/are 1-6, 8-18, 20, 21 and 23, which have been renumbered as set forth in the Office action.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

1. The Amendment filed on 12/21/2005 has been entered. Claims 1-6, 8-18, 20, 21 and 23 are pending in this Office action.

2. Claims have been renumbered as shown below, respectively:

claims 3-6 renumbered claims 2-5;

claim 2 renumbered claim 6;

claims 8-14 renumbered claims 7-13;

claims 15-18 renumbered claims 14-17;

claim 20 renumbered claim 18;

claim 21 renumbered claim 19;

claim 23 renumbered claim 20;

### ***Response to Arguments***

3. Applicant's arguments, see pages 8-10 under Applicant's Remarks, filed on 12/21/2005, with respect to claims 1-6, 8-18, 20, 21 and 23 have been fully considered and are persuasive. The rejection of claims 1-6, 8-18, 20, 21 and 23 has been withdrawn.

4. The Affidavit under 37 C.F.R. 1.131 has been accepted and entered.

**Reasons for Allowance**

The following is an examiner's statement of reasons for allowance:

5. Regarding claim 1, claim 1 is allowed over prior art of record because the cited references (Bach US 6,760,371 B1) taken individually or in combination fail to particularly teach a method of training an equalizer based on a packet comprising the uniquely distinct steps "determining whether said symbol rate value indicates that said symbol rate of said payload segment is higher than said symbol rates of said preamble and header segments" and "re-adapting said plurality of filter taps according to said preamble segment if said determining step determines that said symbol rate of said payload segment is higher than said symbol rates of said preamble and header segments, wherein, for said re-adapting step, a plurality of zeros are inserted into said preamble segment to account for the difference between said symbol rate of said payload segment and said symbol rate of said preamble segment" and "forcing a zero decision when a zero is inserted into said preamble segment".

6. Regarding claim 2, claim 2 is allowed over prior art of record because the cited references (Bach US 6,760,371 B1) taken individually or in combination fail to particularly teach a method of training an equalizer based on a packet comprising the uniquely distinct steps "determining whether said symbol rate value indicates that said symbol rate of said payload segment is higher than said symbol rates of said preamble and header segments" and "re-adapting said plurality of filter taps according to said

preamble segment if said determining step determines that said symbol rate of said payload segment is higher than said symbol rates of said preamble and header segments, wherein, for said re-adapting step, a plurality of zeros are inserted in said header segment to account for the difference between said symbol rate of said payload segment and said symbol rate of said header”.

7. Regarding claim 8, claim 8 is allowed over prior art of record because the cited references (Bach US 6,760,371 B1) taken individually or in combination fail to particularly teach a communications device capable of receiving a packet comprising the uniquely distinct components “an equalizer capable of inserting a plurality of zeros into said preamble and header segments, if said processor determines that said payload segment is higher than said symbol rates of said preamble and header segments” and “wherein said equalizer includes a decision block capable of forcing a zero decision when a zero is inserted into said preamble and header segments”.

8. Regarding claim 15, claim 15 is allowed over prior art of record because the cited references (Bach US 6,760,371 B1) taken individually or in combination fail to particularly teach a communications device capable of receiving a packet comprising the uniquely distinct components “extracting a symbol rate value of said payload segment from said header segment” and “inserting zeros in said preamble and header segments buffered in said memory according to the difference between said symbol rate value of said payload segment and said symbol rates of said preamble and header

segments" and "re-processing said preamble and header segments after said inserting step" and "forcing a zero decision when a zero is inserted into said preamble and header segments".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KCT

*Phanhcong Tran*

02/28/2006

Examiner KHANH TRAN